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7

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 AHERN RENTALS, INC., a Nevada  
11 corporation

Case No.: 2:19-cv-02138-JAD-BNW

12 Plaintiff,

v.

13 EQUIPMENTSHARE.COM, Inc., a Delaware  
14 corporation; DOES I through X, inclusive; and  
15 ROE BUSINESS ENTITIES I through X,  
inclusive,

16 Defendants.

**STIPULATION AND  
ORDER TO CONTINUE DEADLINES**

**[FIRST REQUEST]**

17 **IT IS HEREBY STIPULATED AND AGREED**, by and between Plaintiff Ahern  
18 Rentals, Inc. (“Ahern”) and Defendant Equipmentshare.com, Inc. (“Equipmentshare”)  
19 (collectively “the Parties”), through their respective undersigned counsel, as follows:

20 **WHEREAS**, on February 5, 2020, Equipmentshare filed a Motion to Dismiss Plaintiff’s  
21 Complaint [ECF No. 16] (“Motion to Dismiss”). Pursuant to LR 7-2(b), Ahern’s last day to file  
22 points and authorities in response to the Motion to Dismiss is currently February 19, 2020, and  
23 Equipmentshare’s last day to file a reply in support of the Motion to Dismiss is seven days after  
24 Ahern files its response. Alternatively, pursuant to FRCP 15(a)(1)(B), Ahern’s deadline to file  
25 an amended complaint is February 26, 2020;

26 **WHEREAS**, also on February 5, 2020, Equipmentshare filed a Motion to Stay [ECF No.  
27 17] (“Motion to Stay”). Also pursuant to LR 7-2(b), Ahern’s last day to file points and  
28 authorities in response to the Motion to Stay is currently February 19, 2020, and

1 Equipmentshare's last day to file a reply in support of the Motion to Stay is seven days after  
2 Ahern files its response;

3 **WHEREAS**, on February 14, 2020, counsel for the Parties consented to Ahern's request  
4 to extend the deadlines to respond to the foregoing motions by one week. The reasons for the  
5 extensions are not for delay, but rather to accommodate counsels' schedules.

6 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and  
7 between the Parties as follows:

8 1. Ahern will have until February 26, 2020, to file its points and authorities in  
9 response to the Motion to Dismiss or an amended complaint.

10 2. Ahern will have until February 26, 2020, to file its points and authorities in  
11 response to the Motion to Stay.

12 3. Equipmentshare's replies in support of its Motion to Stay and, if applicable, its  
13 Motion to Dismiss will be due no later than 14 days after Ahern files its points and authorities in  
14 response to the motion(s).

15 **IT IS SO STIPULATED.**

16 DATED: February 14, 2020

17 **FOX ROTHSCHILD LLP**

18  
19 */s/ Mark J. Connot*  
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21 KEVIN M. SUTEHALL (9437)  
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23 1980 Festival Plaza Drive, #700  
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25 *Attorneys for Plaintiff Ahern Rentals, Inc.*

DATED: February 14, 2020

**BROWNSTEIN HYATT FARBER  
SCHRECK, LLP**

*/s/ Mitchell J. Langberg*  
26 MITCHELL J. LANGBERG (10118)  
27 EMILY A. ELLIS (11956)  
28 MICHAEL E. BREWER (*Pro Hac Vice*)  
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*Attorneys for Defendant*  
*Equipmentshare.com, Inc.*

23 **IT IS SO ORDERED**

24  
25   
26 UNITED STATES DISTRICT JUDGE  
27 Dated: February 18, 2020.